



Attorney Docket SEL 263

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11-14-03  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of )  
Yamazaki et al. )  
Serial No.: 09/878,862 )  
Filed: June 11, 2001 )  
For: Light Emitting Module And Method )  
Of Driving The Same And Optical Sensor )  
Art Unit: 2674 )  
Examiner: X. Wu )  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
the Assistant Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450 on

October 29, 2003

(Date of Deposit)

Shannon Wallace

Name of applicant, assignee, or Registered Rep.

Shannon Wallace

Signature

Date

10/29/03

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Technology Center 2600

**RESPONSE B (AFTER FINAL)**

Sir:

Applicants have the following response to the Final Rejection of July 30, 2003, a RCE and IDS being submitted herewith.

**Double Patenting**

In the Final Rejection, the Examiner rejects Claims 2, 4-9, 11-13, 15-17, 19-21, 23-25, 27-29, 31-33, 35-37, 39-41 and 43-50 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-38 of US 6,424,326. This rejection is respectfully traversed.

The claimed invention of the present application involves sensing environmental illuminance for keeping a ratio of the luminance to the environmental illuminance at a constant value. In contrast, the claims of the '326 patent involves an illuminance of each of the EL

elements. Hence, they are not claiming the same or similar subject matter. Accordingly, it is requested that this rejection be withdrawn, and the claims allowed.

#### Information Disclosure Statement

Applicants are submitting an information disclosure statement (IDS) herewith along with a RCE. It is requested that this IDS be considered prior to the issuance of any further action in this application.

#### Conclusion

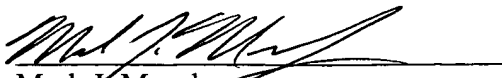
It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee is due for this response, RCE or IDS, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

Date: October 29, 2007

  
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